

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Confirmation No: 9260
Paul S. Enfield)
Application No. 09/902,923) Examiner: Elaine L. Gort
Filed: July 10, 2001) Group Art Unit: 3687
For: INFORMATION, DIRECTORY,)
LOCATION AND ORIENTATION)
SYSTEM FOR RETAIL STORES AND)
THE LIKE) Date: June 11, 2009

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

On May 7, 2009, the undersigned, Robert B. Hughes Esq., and inventor Paul Enfield telephonically contacted Examiner Elaine Gort to discuss the Declaration Under 1.132 by Mr. Enfield submitted in the USPTO on April 7, 2009.

During that conference, the Examiner expressed concern that data for the 34 stores other than of the study, as described in the specification and in the Declaration, did not reflect variances among the individual stores. Mr. Enfield explained that there were no significant variations among the 34 stores with respect to the measured sales of dry goods, and offered to file an additional declaration explaining this fact.

The Examiner also expressed concern that there may have been variables other than the claimed subject matter, which may have resulted in increased sales at the store using the claimed signage. In response, the undersigned directed the Examiner's attention to Section 12 of the Declaration, which explains that there were no changes in the test market location

during the time of the study that would have significantly affected the resulting data of the study.

Unfortunately, no agreements were reached during the interview with respect to all items discussed.

Additionally, Examiner Gort subsequently contacted the undersigned via telephone to inform that the Office does not consider the Declaration to present a convincing case for unexpected results, and that the final rejection remains standing. The Examiner also stated that a declaration submitting evidence showing no significant variations among the 34 stores with respect to the measured sales of dry goods would not serve to sufficiently show unexpected results.

If the Examiner disagrees with the undersigned's above recollection of subject matter discussed, she is invited to contact the undersigned at the number provided below to further clarify the proceedings which transpired.

Respectfully submitted,

/John F. Guay, Reg. No. # 47248/
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